

### REMARKS

Applicant appreciates the Examiner's thorough examination of the present application as evidenced by the Office Action. Applicant has amended Claims 1 and 14, and submits that all of the pending claims are patentable for at least the reasons that will now be explained.

#### **Claims 1-9 and 13-18 Are Not Anticipated by Kim:**

Claims 1-9 and 13-18 have been rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,735,518 to Kim.

Claim 1 has been amended to now recite:

1. (Currently amended) A navigation system comprising:
  - a location indicator device that is configured to transmit location information through a terrestrial wireless air communication link, wherein the location indicator device is geographically fixed and the location information is based on location of the location indicator device;
  - a GPS reception module that is configured to determine location information based on a GPS satellite signal; and
  - a wireless reception module that is configured to receive the location information from the location indicator device over the terrestrial wireless air communication link and to determine its location relative to an object in a map based on the location information from the location indicator device and the GPS reception module, and wherein the GPS reception module and the wireless reception module are co-located and are movable with respect to the geographically fixed location indicator device.

Accordingly, Claim 1 has been amended to clarify that the location indicator device is geographically fixed, and that the wireless reception module receives the location information from the location indicator device over a terrestrial wireless air communication link. These recitations are inherent in dependent Claims 7 and 8, and accordingly, no new search is necessitated by this amendment.

In an embodiment of the present invention shown in Figure 2, where two location indicator devices (26 and 27) are placed adjacent to two branches in a road. The location indicator devices (26 and 27) transmit location information based on their fixed geographic locations. As the vehicle travels one of the two road branches, the transmitted location information can be received by the wireless reception module in a vehicle (21) as it becomes

within the transmission range of one of the location indicator devices (26 and 27). The wireless reception module then determines its location relative to an object in a map based on the location information that is received from one of the location indicator devices (26 and 27) and/or from location information from the GPS reception module.

In rejecting Claim 1, the Office Action contends on Page 2 that Kim discloses a "location indicator device (300)", a "GPS reception module (1170)", and a "wireless reception module (1120)". However, Kim discloses with regard to FIG. 3 that the RF transmitter/receiver 1120 and sensor 1170 (which includes the GPS engine 1175) are both within the navigation terminal 300. More particularly, the sensor 1170 determines the location of the navigation terminal 300 using GPS signals, and transmits that location via the transmitter/receiver 1120 to an information center 100 that determines driving directions for an operator of the navigation terminal 300.

Consequently, the navigation terminal 300 is not geographically fixed. Additionally, the navigation terminal 300 does not transmit its location to the transmitter/receiver 1120 over a terrestrial wireless air communication link, because the transmitter/receiver 1120 is within the terminal 300. Moreover, the sensor 1170 and transmitter/receiver 1120 are co-located within the terminal 300, and, therefore, cannot be movable with respect to the terminal 300.

For at least these reasons, Applicant submits that Kim does not disclose a geographically fixed location indicator device that is configured to transmit its location through a terrestrial wireless air communication link. Moreover, Kim does not disclose a wireless reception module that is configured to receive the location information from the location indicator device over the terrestrial wireless air communication link and to determine its location relative to an object in a map based on the location information from the location indicator device and a GPS reception module, where the GPS reception module and the wireless reception module are co-located and are movable with respect to the geographically fixed location indicator device.

Accordingly, Applicant submits that Claim 1 is not anticipated by Kim.

Independent Claim 14 recites:

14. (Currently amended) A method of navigating, comprising:

receiving location information from a geographically fixed terrestrial location indicator device over a terrestrial wireless air communication link, wherein the location information is based on location of the terrestrial location indicator device;  
determining location information for a wireless reception module from a GPS satellite signal; and  
determining location of the wireless reception module relative to an object in a map based on the location information from the terrestrial location indicator device and the location information from the GPS satellite signal.

Accordingly, Claim 14 includes similar recitations to Claim 1, and is submitted to be not anticipated by Kim for the reasons provided for Claim 1.

The dependent claims 1-13 and 15-18 are submitted to be patentable per the patentability of the independent claims from which they depend. Moreover, these claims are submitted to provide further bases for patentability.

Claim 3 recites that "the wireless reception module is configured to determine its location relative to a road in the map based on selectively using the location information from the location indicator device or the location information from the GPS reception module." As explained above, Kim does not disclose that a wireless reception module determines its location relative to a road based on location information from a geographically fixed location indicator device and from location information from a GPS reception module. Moreover, Kim does not disclose that a wireless reception module selectively uses the location information from a geographically fixed location indicator device or from a GPS reception module to determine its location relative to a road. Accordingly, Applicants submit that Claim 3 is not anticipated by Kim. Claim 15 is a method analog of Claim 3 and is submitted to be not anticipated by Kim for similar reasons.

Claim 4 recites that "the wireless reception module is configured to determine its location relative to a road in the map by combining the location information from the location indicator device and the GPS reception module." Kim does not disclose that a wireless reception module combines location information from a geographically fixed location indicator device and from a GPS reception module to determine its location relative to a road. Accordingly, Applicants submit that Claim 4 is not anticipated by Kim. Claim 16 is a method analog of Claim 4 and is submitted to be not anticipated by Kim for similar reasons.

Claim 7 recites that "the location indicator device is located adjacent to where a road branches into two or more roads." Kim does not disclose a geographically fixed location indicator device that is located adjacent to where a road branches into two or more roads. Accordingly, Applicants submit that Claim 7 is not anticipated by Kim. Claim 8 includes similar recitations to Claim 7 and is submitted to be not anticipated by Kim for similar reasons.

**Claims 10-12 Are Patentable over Kim:**

Claims 10-12 have been rejected under 35 U.S.C. §103(a) as unpatentable over Kim. Applicant respectfully submits that Kim is not a proper § 103 reference, and therefore, Applicant requests the rejections under § 103 be removed for the reasons discussed below.

In particular, Kim and the present application were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same entity. *See* Assignment of the present application, attached hereto, and the cover sheet of the issued U.S. Patent to Kim indicating Samsung as the Assignee. The present application was filed after February 10, 2005. For applications filed on or after November 29, 1999, a rejection under 35 U.S.C. §§ 102(e)/103 is not proper if evidence is presented that the prior art reference and the application were owned by the same person, or subject to an obligation of assignment to the same person, at the time the invention was made. *See* M.P.E.P. §§ 706.02(l)(1) and 2136.01. A statement by an attorney or agent of record to the effect that the application and reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person is sufficient evidence to establish common ownership. *See* M.P.E.P. § 706(l)(2). The foregoing arguments are not to be considered a representation, concession or acquiescence as to the obviousness of the claimed invention in view of Kim. Thus, Applicant respectfully requests that the § 103 rejections with respect to Claims 10-12 be withdrawn.

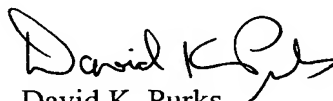
**CONCLUSION**

Applicants respectfully request withdrawal of all rejections and the allowance of all claims in due course. If, in the opinion of the Examiner, a telephonic conference would

In re: Dong-Sik Cho  
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expedite the examination of this matter, the Examiner is encouraged to contact the undersigned by telephone at (919) 854-1400.

Respectfully submitted,

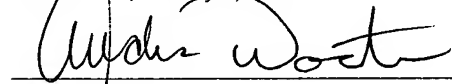


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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 9, 2005

  
Audra Wooten